REMARKS

Applicants have amended claim 1.

Claims 1 and 4-9 have been rejected under 35 USC 102(b) as anticipated by U.S. Patent No. 5,684,323 (Tohyama). Applicants respectfully traverse this rejection.

Claim 1 states that the protecting element comprises a first high concentration impurity region formed in the substrate, a second high concentration impurity region formed in the substrate and an insulating region between the first and second high concentration impurity regions. In the Amendment filed April 25, 2006, applicants explained that Tohyama's aluminum wiring 6, which the Examiner equated to the claimed second high concentration impurity region, is neither an impurity region nor formed in Tohyama's substrate 2, as claimed. In this Action, the Examiner contends that the reference to Tohyama's aluminum wiring 6 is only a "typo" and criticizes applicants for not equating Tohyama's P^+ region 5 shown in Tohyama's FIG. 8 to the claimed second high concentration impurity region.

Tohyama's protecting element consists of two Schottky diodes. Surge currents run between the two diodes to protect the device connected with the protecting element. See, for example, column 8, lines 34, of Tohyama. Other device elements outside the two-diode region shown in FIG. 8, such as Tohyama's P^+ region 5, are not relevant to the claimed protecting element. Accordingly, applicant did indeed believe that the Examiner pointed to Tohyama's aluminum wiring 6, which is at least partially in the two-diode region, for the teaching of the claimed second high concentration impurity region.

The Examiner now contends that Tohyama's P^+ region 5 corresponds to the claimed second high concentration impurity region. This assertion is not proper because the P^+ region 5 has nothing to do with Tohyama's protecting element as explained above.

For the Examiner to understand the structural relation among the two impurity regions and the insulating region of the claimed protecting element, applicants have amended claim 1 to state that the insulating region is part of the substrate. See, for example, FIG. 3A of the

application. Tohyama's SiO_2 film, which the Examiner equates to the claimed insulating region, is not part of Tohyama's substrate 2, which the Examiner equates to the claimed substrate. In fact, Tohyama's substrate 2 between the two impurities regions 5 and 7 is indeed conducting P-type silicon, contrary to the claim language. See, for example, column 7, lines 31-46, of Tohyama.

The rejection of claims 1 and 4-9 under 35 USC 102(b) on Tohyama should be withdrawn because Tohyama does not teach or suggest the claimed protecting element.

The remaining rejection relied on Tohyama and thus should be withdrawn as well because Tohyama does not provide the teachings for which it is cited.

In light of the above, a Notice of Allowance is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing Docket No. **492322017600**.

Respectfully submitted,

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